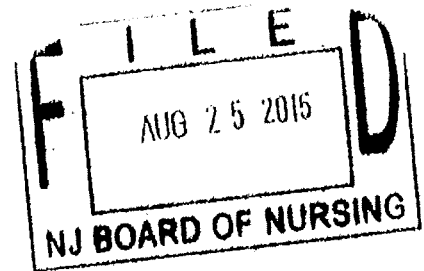
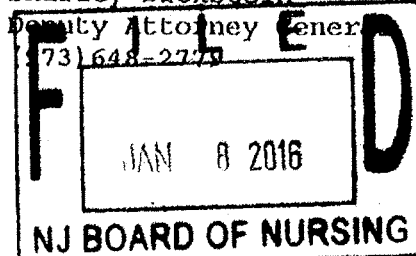


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By: Shirley Dickstein



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

ADMINISTRATIVE ACTION

Deedra D. Turner, C.H.H.A.
Certificate No. 26NH13865200

PROVISIONAL ORDER OF
DISCIPLINE

☒ FINAL ORDER OF DISCIPLINE
(Finalized by default
on 01/08/2016 January 8, 2016)

HOMEMAKER-HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Deedra D. Turner ("Respondent") is a certified homemaker-home health aide in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. The Board received a flagging notice indicating that Respondent was arrested on October 3, 2014 by the Essex County Prosecutor's Office for violation of N.J.S.A. 2C:35-10A, Possession Of Controlled Dangerous Substance Or Analog, and was found guilty on December 9, 2014, in the Newark Municipal Criminal Court for violation of N.J.S.A. 2C:33-2.1, Loiter For Purpose - Using, Possessing. Respondent was sentenced to 45 days' suspended confinement and assessed a fine of \$258. (Exhibit B).

3. The Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Newark, New Jersey, via regular and certified mail on or about January 20, 2015. A response was due within twenty (20) days. The regular mailing was not returned; the certified mailing was delivered on January 23, 2015. (Exhibit C).

4. On or about February 24, 2015 Respondent faxed a copy of the complaint and disposition to the Board. Respondent provided a short narrative statement on the fax cover sheet stating she was not guilty. (Exhibit D).

CONCLUSIONS OF LAW

Certified homemaker-home health aides provide care to some of the most vulnerable members of our society - the infirm elderly. They have unfettered access to the homes, personal

possessions, bank accounts and credit cards of their elderly patients. Possible addiction to illegal substances or alcohol raise particular concern as certificate holders who have not obtained appropriate treatment may pose a risk to the safety and security of those individuals entrusted to their care. Respondent's response did not adequately address the Board's request for information in the letter of inquiry. Respondent's arrest and conviction for drug related conduct are sufficient indication that Respondent's continued practice as a homemaker-home health aide may jeopardize the safety and welfare of the public such that diagnostic testing and monitoring or psychological evaluation are warranted as a condition of continued certification pursuant to N.J.S.A. 45:1-22(e) and (f) and N.J.S.A. 45:1-21(1).

ACCORDINGLY, IT IS on this 26th day of August, 2015,
ORDERED that, UPON THE FILING OF A FINAL ORDER OF
DISCIPLINE:

1. Respondent's certificate to practice as a homemaker-home health aide will be suspended until such time as Respondent establishes to the satisfaction of the Board her fitness and competency to practice as a homemaker-home health aide by demonstrating compliance with paragraph 2 below.

2. Respondent shall:

- a. Provide the Board with evidence that she is capable of discharging the functions of a certificate holder in a manner consistent with the public's health, safety and welfare and that she is not then suffering from any impairment or limitation resulting from the use of any addictive substance which could affect her practice.
- b. Provide the Board with an in-depth, current evaluation from and documentation of monitoring by, a licensed clinical alcohol and drug counselor or psychiatrist or psychologist knowledgeable in addiction therapy who is aware of the circumstances of Respondent's arrest and this Provisional Order of Discipline and who has been pre-approved by the Board. The monitoring shall include biometric testing and Respondent shall provide documentation to the Board that she has complied with all recommendations of the evaluator.
- c. Affirmatively establish her fitness, competence and capacity to re-enter the active practice as a certified homemaker-home health aide within New Jersey, which shall include, but not be limited to, biometric testing.

3. A reprimand is imposed on Respondent for her drug related arrest and conviction.

4. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall promptly, within 5 (five) days, mail her certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

5. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall refrain from engaging in the practice as a

homemaker-home health aide and shall not represent herself as a homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

6. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

- a) Submitting a written request for modification or dismissal to Twalema Khonje, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

7. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit

further consideration, a FINAL ORDER OF DISCIPLINE will be entered.

8. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

9. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order of Discipline, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C.

13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

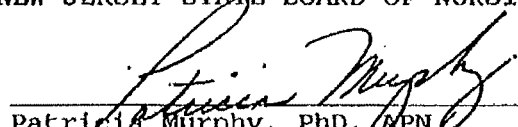
10. If Respondent's certification to practice as a homemaker-home health aide is reinstated, the Board, in its discretion, may impose any conditions or restrictions on licensure it deems necessary to protect the public health, safety and welfare.

11. Any violation of this order by Respondent shall constitute grounds for such proceedings as are permitted by law.

12. The Board reserves the right to initiate disciplinary proceedings based upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APRN
President